

## CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Shania Roach	Team: Team # 1	CCRB Case #: 201410871	<input checked="" type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input checked="" type="checkbox"/> Injury
Incident Date(s) Friday, 10/10/2014 7:00 PM	Location of Incident: § 87(2)(b)	Precinct: 32	18 Mo. SOL 4/10/2016	EO SOL 4/10/2016	
Date/Time CV Reported Sat, 10/11/2014 1:05 AM	CV Reported At: IAB	How CV Reported: Phone	Date/Time Received at CCRB Thu, 10/23/2014 4:29 PM		

Complainant/Victim	Type	Home Address
§ 87(2)(b)	§ 87(2)(b)	§ 87(2)(b)

Subject Officer(s)	Shield	TaxID	Command
1. POM Hamlet Hernandez	22587	945817	PSA 6

Officer(s)	Allegation	Investigator Recommendation
A.POM Hamlet Hernandez	Force: PO Hamlet Hernandez used physical force against § 87(2)(b)	§ 87(2)(b)

### Case Summary

On October 10, 2014, § 87(2)(b) was arrested at the PSA 6 stationhouse in Manhattan and was placed in a holding cell. While in the holding cell, § 87(2)(b) suffered an anxiety attack and was transported to § 87(2)(b) by PO Hamlet Hernandez, assigned to PSA 6, and two EMTs. While in the psychiatric emergency waiting room at § 87(2)(b) § 87(2)(b) § 87(2)(b) alleged that PO Hernandez placed his hands on her breasts and pushed her into a chair in the waiting room (**Allegation A**) (encl. B 1-4).

### Mediation, Civil and Criminal Histories

§ 87(2)(g) A Notice of Claim search requested on February 17, 2015 is pending § 87(2)(b), § 87(2)(c)

### Civilian and Officer CCRB Histories

- This is the second CCRB complaint filed by § 87(2)(b) (encl. A2).
  - § 87(2)(b)
- PO Hernandez has been a member of the NYPD for 7 years and has 5 previous CCRB allegations. Three were closed as complainant uncooperative and two were closed as complainant unavailable. § 87(2)(g)

### Potential Issues

§ 87(2)(b) was unable to provide surveillance video for the date of the incident because videos are only kept for two weeks.

### Findings and Recommendations

**Allegation A- PO Hamlet Hernandez used physical force against § 87(2)(b)**  
§ 87(2)(b) alleged that while in the psychiatric emergency waiting room at § 87(2)(b) § 87(2)(b) PO Hernandez instructed her to sit down and she refused. In response PO Hernandez placed his hands on her breasts and pushed her into a chair in the waiting room. § 87(2)(b) did not sustain any injuries from being pushed (encl. C 3-4). PO Hernandez denied telling § 87(2)(b) to sit and denied putting his hands on her breasts and pushing her into a chair (encl. D 4-5).

§ 87(2)(g)

Team: \_\_\_\_\_

Investigator: \_\_\_\_\_  
Signature Print Date

Supervisor:	_____	_____	_____
	Title/Signature	Print	Date
Reviewer:	_____	_____	_____
	Title/Signature	Print	Date
Reviewer:	_____	_____	_____
	Title/Signature	Print	Date